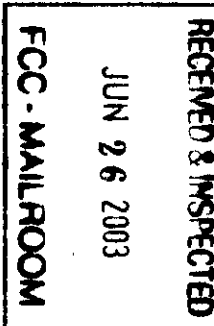




Federal Communications Commission
Washington, D.C. 20554

June 13, 2003

Matthew K. Wesolowski
General Manager
SSR Communications, Inc.
5270 West Jones Bridge Road
Norcross, GA 30092-1628



In re: RM-10570

Dear Mr. Wesolowski:

This letter is in reference to a petition for rule making you filed proposing the allotment of Channel 223A to Monroeville, Alabama. In order to accommodate this allotment, you requested the reclassification of Station WLWI-FM, Channel 222C, Montgomery, Alabama, to specify operation on Channel 222C0 and Station WQST-FM, Channel 223C, Forest, Mississippi, to specify operation on Channel 223C0.

Station WLWI-FM and WQST-FM are subject to reclassification as a Class C0 facility since they were operating below minimum Class C standards in accordance to the *Second Report and Order* in MM Docket No. 98-93¹, and as set forth in Section 1.420(g), note 2, and Section 73.3574, note 4 of the Commission's Rules. An *Order to Show Cause ("Order")*² was issued on September 27, 2002 pursuant to the reclassification procedures set forth in Section 73.3573, note 4 of the Commission's Rules, which afforded each station an opportunity to show why its respective license should not be modified to a Class C0 facility. Cumulus Media L.L.C. ("Cumulus Media"), licensee of Station WLWI-FM filed comments in response to the *Order* stating its intention to file a minor change construction permit application to increase its antenna height above 451 meters HAAT. No comments were received from American Family Association Inc., licensee of Station WQST-FM in response to the *Order*. Cumulus Media filed an acceptable construction permit application on May 15, 2003 to increase its antenna height above 451 meters HAAT³, therefore pursuant to Section 1.420(g), note 2 of the Commission's Rules, the petition for rule making filed by SSR Communications proposing the allotment of Channel 223A to Monroeville, Alabama is hereby dismissed.

As noted in the *Order*, the present three-year construction period will be applicable if a construction permit is obtained by Cumulus Media for Channel 222C under this reclassification procedure. If the construction is not completed as authorized, Station WLWI-FM is subject to

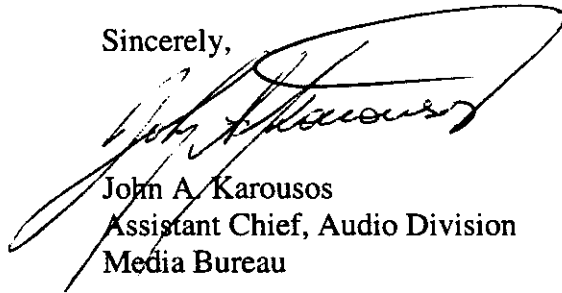
¹ See 1998 Biennial Regulatory Review – Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules, 15 FCC Rcd 21649 (2000).

² Reclassification of License of Station, WLWI-FM, Montgomery Alabama and WQST-FM, Forest, Mississippi, 17 FCC 18104 (MB 2002).

³ BPH-20030515AAW

reclassification automatically as a Class C0 station, and, in that event, a new petition for rule making to allot Channel 223A at Monroeville, Alabama, may be refiled. In light of the above, we are returning your petition for rule making for Channel 223A at Monroeville, Alabama.

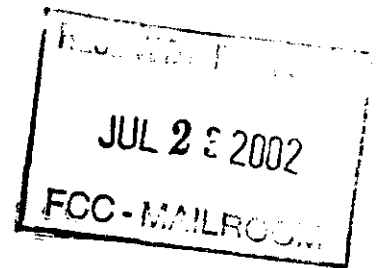
Sincerely,

A handwritten signature in black ink, appearing to read "John A. Karousos", written over a large, stylized, looping flourish that extends to the left and under the signature.

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Enclosure

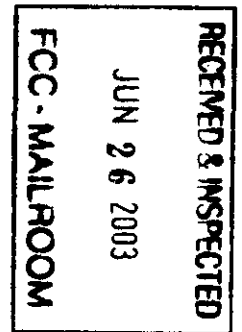
Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554



In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments)
FM Broadcast Stations)
(Monroeville, AL))

MM Docket No. _____
RM- _____

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau



PETITION FOR RULEMAKING

SSR Communications Incorporated hereby petitions the Federal Communications Commission for the initiation of a rulemaking proceeding to amend the FM Table of Allotments (§73.202(b) of the Commission's Rules) to assign FM Channel 223A to Monroeville, Alabama, as that community's *first competing commercial* FM broadcast service, as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Monroeville, Alabama	205C1, 257C2	205C1, 223A, 257C2

1. Monroeville is an incorporated community with a 2000 U.S. Census recorded population of 6,862 persons. Monroeville is a bona-fide community for allotment purposes: it is home to current commercial FM station WMFC-FM on 99.3 MHz, an unbuilt non-commercial station on 88.9 MHz, as well as AM stations WMFC-AM and WYNI.

2. As indicated in the attached Engineering Statement (attached hereto as Exhibit 1), Channel 223A can be assigned to Monroeville using the reference site 31-27-23 N, 87-25-18 W. These reference coordinates do require a site restriction: the site is approximately 8 kilometers southwest of Monroeville. At the reference site, all minimum distance separation requirements of §73.202(b) of the Commission's Rules are met, as well as the principal community contour coverage requirements of §73.315. This allotment *does* short-space station two current stations: WQST-FM (Forest, MS) on 223C by more than 11 kilometers, as well as WLWI-FM (Montgomery, AL) on 222C by more than 8 kilometers. Neither station, at present, meets the Commission's requirements for a full class C station. SSR proposes that both stations be downgraded to Class C0 status. SSR wishes the Commission to put forth a Show Cause Order to WQST-FM and WLWI-FM and allowing each station its requisite 30-day window to express in writing its intention to file for full class C status. Absent of such expression, SSR wishes for the Commission to downgrade the status of both stations to C0.

3. In the event that Channel 223A be allotted to Monroeville, Alabama, SSR Communications Incorporated will file an application (Form 301) for a Construction Permit to operate the stations and, if authorized, will build the station promptly.

Dated: July 19, 2002

Respectfully submitted,

SSR Communications Incorporated

SSR Communications Incorporated

5270 West Jones Bridge Road
Norcross, GA 30092-1628
(770) 447-0026

By



Matthew K. Wesolowski
General Manager

SSR Communications Incorporated
Petition for Rulemaking
July 19, 2002

EXHIBIT 1
Site Map and Separation Requirements

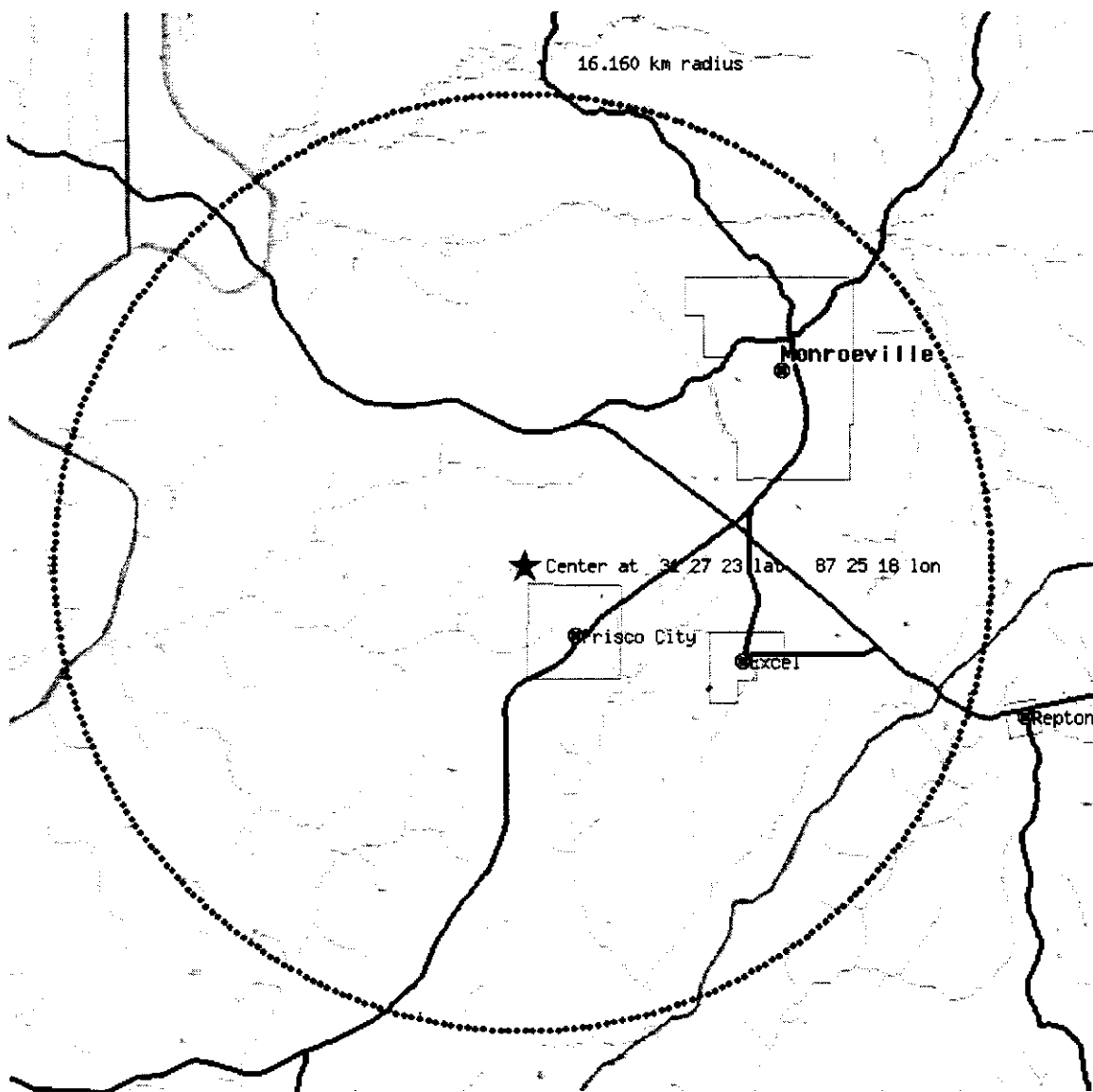


FIGURE 1 - SITE MAP

Proposed Channel 223A (92.5 MHz) Monroeville, AL
70 dBu Contour

TABLE 1 - ALLOCATION STUDY

Location: Monroeville, AL
 (Reference Site: 31-27-23 N, 87-25-18 W)
 Channel: 223A (92.5 MHz)
 Database: 07/17/2002

ALL DISTANCES GIVEN IN KILOMETERS

ID	Channel	Freq.	Cl.	Type	City of Lic St.	Distance	Req Dist	Difference	Outcome
WQST-FM	223	92.5	C	FM LIC	FOREST MS	214.50	226.00	11.50	short *
WLWI-FM	222	92.3	C	FM LIC	MONTGOMAL	156.33	165.00	8.67	short *
PROP	223	92.5	C0	FM LIC	FOREST MS	214.50	215.00	0.50	close
WBLX-FM	225	92.9	C	FM LIC	MOBILE AL	94.50	95.00	0.50	close
PROP	222	92.3	C0	FM LIC	MONTGOMAL	156.33	152.00	-4.33	close
WMBV	220	91.9	C1	FM LIC	DIXONS MAL	80.38	75.00	-5.38	close
WPAP-FM	223	92.5	C1	FM LIC	PANAMA (FL	212.19	200.00	-12.19	okay
WPAP-FM	223	92.5	C1	FM CP	PANAMA (FL	212.33	200.00	-12.33	okay
WZEW	221	92.1	C3	FM LIC	FAIRHOPE AL	103.30	42.00	-61.30	okay
WQYZ	223	92.5	A	FM LIC	OCEAN SF MS	176.54	115.00	-61.54	okay
WJIF	220	91.9	A	FM LIC	OPP AL	115.94	31.00	-84.94	okay
WMMK	221	92.1	C3	FM LIC	DESTIN FL	138.32	42.00	-96.32	okay
WTUG-FM	225	92.9	C1	FM LIC	TUSCALOAL	177.58	75.00	-102.58	okay
WJOL	224	92.7	C2	FM LIC	EUFAULA AL	234.98	106.00	-128.98	okay
WQOP-FM	223	92.5	A	FM LIC	DORA AL	244.39	115.00	-129.39	okay
WJMG	221	92.1	A	FM LIC	HATTIESB MS	178.90	31.00	-147.90	okay
930208MC	226	93.1	A	FM APP	HATTIESB MS	186.74	31.00	-155.74	okay
930208MC	226	93.1	A	FM APP	HATTIESB MS	187.84	31.00	-156.84	okay
930208MA	226	93.1	A	FM APP	HATTIESB MS	189.66	31.00	-158.66	okay
WJJN	221	92.1	A	FM LIC	COLUMBIAL	212.51	31.00	-181.51	okay
WBBK-FM	226	93.1	C3	FM LIC	BLAKELY GA	225.82	42.00	-183.82	okay
WGIB	220	91.9	C3	FM CP	BIRMINGH AL	230.49	42.00	-188.49	okay
980727MH	220	91.9	A	FM APP	EUFAULA AL	219.84	31.00	-188.84	okay
WGIB	220	91.9	A	FM LIC	BIRMINGH AL	232.08	31.00	-201.08	okay
WBOX-FM	225	92.9	A	FM LIC	VARNADOLA	249.63	31.00	-218.63	okay

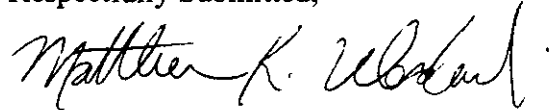
* these shortspacings would be resolved with the proposed C0 downgrades to WQST and WLWI

CERTIFICATION

I certify that I have directly prepared or supervised the preparation of this entire document. Although I have received no legal counsel on the authoring of this Petition for Rule Making, I believe it to be accurate and true, to the best of my knowledge.

Date: July 19, 2002

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Matthew K. Wesolowski". The signature is fluid and cursive, with a large initial 'M' and a distinct 'W'.

Matthew K. Wesolowski
General Manager
SSR Communications, Inc.
5270 West Jones Bridge Road
Norcross, GA 30092-1628

(770) 447-0026